

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

Adv. Pro. No. 08-01789 (SMB)

SIPA Liquidation

(Substantively Consolidated)

**DECLARATION OF STEPHANIE ACKERMAN IN SUPPORT
OF THE TRUSTEE'S MOTION AND MEMORANDUM OF LAW
TO AFFIRM HIS DETERMINATIONS DENYING CLAIMS
OF CLAIMANTS HOLDING INTERESTS IN THE LAMBETH COMPANY**

I, Stephanie Ackerman, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am an associate with Baker & Hostetler LLP, counsel to Irving H. Picard, trustee ("Trustee") for the substantively consolidated liquidation of Bernard L. Madoff Investment Securities LLC ("BLMIS") under the Securities Investor Protection Act, 15 U.S.C. § 78aaa *et seq.* ("SIPA"), and for Bernard L. Madoff.

2. I am fully familiar with this case and the facts set forth herein.

3. For purposes of the Trustee's Motion and Memorandum to Affirm His Determinations Denying Claims of Claimants Holding Interests in The Lambeth Company (the

“Motion”), the Trustee selected one BLMIS account: 1L0002 (the “Account”) held by the Lambeth Company (“Lambeth”).

4. A list of objecting claimants associated with Lambeth whose claims are addressed in the Motion is annexed as Exhibit 2 (the “Objecting Claimants”) to the Declaration of Vineet Sehgal filed in support of the Motion (the “Sehgal Declaration”). The Motion addresses all outstanding docketed objections that have been filed to date by Objecting Claimants associated with Lambeth, details of which objections are contained in Exhibits 2 and 3 to the Sehgal Declaration.

5. I supervised service of discovery, including Requests for Admissions, by the Trustee on the Objecting Claimants listed in Exhibit 2 to the Sehgal Declaration. All but five of the Objecting Claimants failed to respond to discovery.

6. During the course of my work on this matter, and to properly prepare and serve discovery, I personally reviewed hundreds of documents, including the claims filed by the Objecting Claimants, the respective notices of determination of claims issued by the Trustee, and the respective objections to the Trustee’s notices of determination of claims filed by the Objecting Claimants, in addition to reviewing the Lambeth account file contained in the books and records of BLMIS.

Service of Requests for Admissions and Other Discovery

7. I caused discovery to be served on all of the Objecting Claimants through counsel or in a *pro se* capacity using contact details from the claims, objections to the Trustee’s notices of determination of claims, or the debtor’s books and records, all as provided by the Trustee’s claims agent, AlixPartners LLP. Each of the Trustee’s discovery requests contained a certificate of service setting out how and when service was made.

8. Attached hereto as Exhibit 1 is a true and correct copy of the complete discovery with cover letter and certificate of service served on Jennifer L. Young, Matthew Gluck, and Sanford P. Dumain of Milberg LP, and on Stephen A. Weiss and Parvin Aminolroaya of Seeger Weiss LLP, on behalf of certain of the Objecting Claimants. No responses were received.

Pro Se Responses To Interrogatories and Requests for Admission

9. Attached hereto as Exhibit 2 is a true and correct copy of the responses to both the Requests for Admission and the Interrogatories that were served on Ellen Diamond Waldman, and a copy of the cover letter and of the Trustee's certificate of service for the discovery.

10. Attached hereto as Exhibit 3 is a true and correct copy of the responses to both the Requests for Admission and the Interrogatories that were served on Marie-Antoinette Nelly Baers-Bright, and a copy of the cover letter and of the Trustee's certificate of service for the discovery.

11. Attached hereto as Exhibit 4 is a true and correct copy of the responses to both the Requests for Admission and the Interrogatories that were served on Naomi Z. Newman, and a copy of the cover letter and of the Trustee's certificate of service for the discovery.

12. Attached hereto as Exhibit 5 is a true and correct copy of the responses to both the Requests for Admission and the Interrogatories that were served on Martha D. Strizich, and a copy of the cover letter and of the Trustee's certificate of service for the discovery.

13. Attached hereto as Exhibit 6 is a true and correct copy of the responses to both the Requests for Admission and the Interrogatories that were served on Hospital Learning Center, Inc., Employee Retirement Trust, and a copy of the cover letter and of the Trustee's certificate of service for the discovery.

Documents Produced

14. Attached hereto as Exhibit 7 are true and correct copies of the documents produced to the Trustee in response to requests for production to Marie-Antoinette Nelly Baers-Bright.

15. Attached hereto as Exhibit 8 are true and correct copies of the documents produced to the Trustee in response to requests for production to Naomi Z. Newman.

16. Attached hereto as Exhibit 9 are true and correct copies of the documents produced to the Trustee in response to requests for production to Martha D. Strizich.

17. Attached hereto as Exhibit 10 are true and correct copies of the documents produced to the Trustee in response to requests for production to Hospital Learning Center, Inc., Employee Retirement Trust.

18. Attached hereto as Exhibit 11 are true and correct copies of the Lambeth Company's limited partnership agreements as produced to the Trustee by the Securities and Exchange Commission.

Objecting Claimants Who Failed To Respond To Requests For Admissions

19. All Objecting Claimants received thirteen (13) substantively identical Requests for Admissions in their discovery packages.

20. The pro se Objecting Claimants received one (1) Request for Admissions in their discovery packages that was not included in the discovery package served on Objecting Claimants represented by counsel.

21. Exhibits 1-6 each contain the cover letter, Requests for Admissions, Interrogatories, Requests for Production, and Certificate of Service as mailed to the Objecting Claimants.

Pursuant to 28 U.S.C. § 1746, I declare under penalty of perjury that the foregoing is true
and correct.

Executed on June 15, 2017
New York, New York

/s/ Stephanie Ackerman
Stephanie Ackerman
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